

HOUSE No. 1422

By Mr. Travis of Rehoboth, petition of Philip Travis that the Division of Capital Asset Management and Maintenance be directed to release certain land located in the town of Rehoboth from the operation of an agricultural preservation restriction. Bonding, Capital Expenditures and State Assets.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELEASING CERTAIN LANDS IN THE TOWN OF REHOBOTH FROM THE OPERATION OF CERTAIN FARM VIABILITY COVENANT RESTRICTIONS.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is forthwith to release certain land in the
3 town of Rehoboth from the operation of certain farm viability
4 covenant, therefore it is hereby declared to be an emergency law,
5 necessary for the immediate preservation of the public convenience.
6

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Pursuant to section 40E of chapter 7 and section 22 of
2 chapter 20 of the General Laws, but notwithstanding any other
3 general or special law to the contrary, the commissioner of capital
4 asset management and maintenance, in consultation with the commissioner of agricultural resources may execute certificates of
5 release of a farm viability covenant restriction in the town of
6 Rehoboth. The restriction is as follows:— a farm viability
7 covenant restriction held by the department of agricultural
8 resources, recorded with the Bristol county registry of deeds in
9 Book 5905, Page 150, and encumbering land on Davis street in
10 the town of Rehoboth owned by Robert and Nancy L. Noons, said
11 land being described in a deed recorded with said registry of
12 deeds in Book 19405, Page 272;
13

14 The portions of land to be released from the farm viability
15 covenant restriction being shown as the areas on a plan entitled:
16 “Robert J. & Nancy L. Noons A.P. 2 Lot 32 Davis Street,
17 Rehoboth, Massachusetts,” dated September 28, 2004, and pre-
18 pared by Insite Engineering Services, LLC, Seekonk, Massachu-
19 setts, in exchange for an agriculture preservation restriction on the
20 remaining property under the existing farm viability covenant.